IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3062 of 1990

For Approval and Signature:

HON'BLE DR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHAMAR DEVRAMBHAI DUDHABHAI AND ORS.
Versus
GUJARAT AGRICULTURE UNIVERSITY AND ORS.

Appearance:
1. Special Civil Application No. 3062 of 1990
MR JR NANAVATI for Petitioner Nos. 1-3
MR SN SHELAT for Respondent Nos. 1-3

CORAM : HON'BLE DR.JUSTICE J.N.BHATT

Date of decision: 31/08/2004

ORAL JUDGEMENT

1. In this writ petition, the writ-petitioner has questioned the validity and legality of the Selection List made by respondent No.1, Gujarat Agricultural University, for the post of Agricultural Assistant, pursuant to the advertisement No.4 of 1989 published on 18th September, 1989, on the ground that the selection process was arbitrary and on extraneous consideration and, therefore, the selection made by the Selection

Committee is not legal and valid.

2. It is very apparent from the petition that it is founded upon the allegation that the entire selection process is vitiated, as the Selection Committee has not conducted the process fairly and independently. The respondents have filed affidavit-in-reply challenging and controverting the allegations made in the petition.

3. After having heard and considering the factual profile emerging from the record, it is noticed that the petitioner has not been able to substantiate the bold allegations made in the petition. The duly appointed Selection Committee had considered the merits of various candidates, and on the basis of the merits reflected, the Merit List was prepared. After screening, written test was conducted. For the oral test, criteria was fixed for the purpose of short-listing the candidates for the said post. Only those candidates, who had answered the eligibility criteria for the oral test, after screening and written test, had been invited.

4. Nothing has been shown or nothing has been spelt out in the record as to how the process of making selection or Merit List prepared by the respondent-authorities, pursuant to the advertisement given is violative of principles of Articles 14 and 16 of the Constitution of India.

5. In the opinion of this Court, upon analysis of the facts and the proposition of law, the petition deserves only one and one legal fate of rejection. Accordingly, it is rejected. Rule discharged. No order as to costs.

(J. N. BHATT, J.)

/shamnath